

Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 OES-06 ACDA-07 CIAE-00 INR-07
L-03 NSAE-00 NSC-05 EB-07 NRC-05 FEAE-00 DODE-00
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FM US MISSION EC BRUSSELS
TO SECSTATE WASHDC 2717
INFO ALL EC CAPS 2952
ERDA WASHINGTON
ERDA GERMANTOWN
US MISSION IAEA VIENNA 2168

C O N F I D E N T I A L EC BRUSSELS 0165

E.O. 11652: GDS
TAGS: TECH ENRG
SUBJECT: IAEA-EURATOM VERIFICATION AGREEMENT

REFS: (A) BENGELSDORF-LOGAN TELECOM, (B) BRUSSELS 10991, (C)
IAEA VIENNA 10412, (D) EC BRUSSELS 12423

1. D. HAMMER, DG XII, EC, HS PROVIDED SOME CLARIFICATION
OF THE PLANNED METHOD FOR BRINGING INTO FORCE THE SUB-
JECT AGREEMENT.

2. WITH RESPECT TO THE LEGISLATIVE OR EXECUTIVE ACTIONS
REQUIRED IN MOST MEMBER COUNTRIES, THE COMMISSION IN
DECEMBER PROVIDED TO EACH COUNTRY GUIDANCE
DETAILING WHAT WHOULD BE INCLUDED IN EACH NATIONAL LEGAL
INSTRUMENT THAT BRINGS THE AGREEMENT INTO FORCE. THIS
DETAIL IS SUBSTANTIVELY THE SAME AS WAS CONTAINED IN THE
OCTOBER DRAFT VERSION OF THE PROPOSED COUNCIL REGULATION
(REFTEL B). DIFFERENCES BETWEEN GUIDANCE AND PROPOSED
REGULATION ARE SAID TO BE MAINLY DELETIONS OF SOME REFERENCES
TO THE EURATOM-TRATY AND OTHER REFERENCES TO THE
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COMMISSION THAT WOULD BE INAPPROPRIATE IN A NATIONAL
LEGAL INSTRUMENT.

3. AS EXPLAINED BY HAMMER, THE COMMISSION CONSIDERS THE NATIONAL
LEGAL ACTIONS TO BE AN INTERNAL EUROPEAN MATTER NOT SUBJECT
TO REVIEW IN DRAFT BY THIRD PARTIES. HE ASSERTS
THATTHE NATIONAL ACTIONS WILL BE OONSISTENT WITH THE

VERIFICATION AGREEMENT SO THAT THE COMMUNITY AND EACH PARTY TO THE AGREEMENT WILL BE ABLE TO REPORT TO IAEA PURSUANT TO ARTICLE 25 OF THE AGREEMENT. IF THERE ARE DISAGREEMENTS WITH IAEA OVER THE DETAILS OF IMPLEMENTING THE AGREEMENT, THE COMMISSION FEELS THAT THESE CAN BE NEGOTIATED IN THE SUBSIDIARY ARRANGEMENTS AND FACILITY ATTACHMENTS.

4. WITH RESPECT TO THE INTERIM ARRANGEMENTS, THERE WILL BE A MEETING WITH THE MEMBER STATES JANUARY 11 TO SELECT OPTION (REFTEL D) FOR COMPLETING THE INTERIM ARRANGEMENT AND FOR A STATUS REPORT FROM STATES ON PROGRESS IN NEGOTIATING "CONTRACTS" WITH INDUSTRY. HAMMER CONFIRMED THAT THE COMMISSION'S INTENT IN THE INTERIM ARRANGEMENT IS TO APPLY THE VERIFICATION AGREEMENT TO ITS FULLEST EXTENT THROUGHOUT THE COMMUNITY (I.E., IT IS NOT A PIECEMEAL OR PARTIAL APPLICATION). THE COMMISSION EXPECTS MEMBER STATES TO USE THE SAME GUIDANCE AS IN LEGAL ACTIONS (PARA 2 ABOVE) IN NEGOTIATING "CONTRACTS" WITH INDUSTRY. AGAIN, THE COMMISSION VIEWS THESE ACTIONS AS INTERNAL TO THE COMMUNITY AND DOES NOT PLAN TO SEEK THIRD PARTY REVIEW. HINTON

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